WP(C) 246/2007
BEFORE
HON'BLE THE CHIEF JUSTICE MR. J CHELAMESWAR
HON'BLE MR. JUSTICE AMITAVA ROY

JUDGEMENT AND ORDER (CAV)
AMITAVA ROY,J :

All these appeals register a challenge to the judgment and order dated 14.12.2007 allowing the writ petitions aforementioned, thus sustaining the assailment to the moderation of the gradings of the writ petitioners in their ACRs with the consequential direction to grant promotion to them to the post of Superintending Engineer in the Pubic Works Department of the State on a reassessment of their cases in the light of the directions contained therein. Whereas, the State of Assam in the Public Works Department (hereinafter referred to as the 'Department') has impugned this decision in Writ Appeal Nos. 41/2008, 42/2008, 43/2008 and 63/2008, some of the candidates already recommended by the Selection Committee for such promotion (also impleaded as respondents in the writ petitions), have taken up the cudgel in Writ Appeal Nos. 51/2008, 52/2008,53/2008 and 55/2008 against the same decision.

2. We have heard Mr AM Mazumdar, Senior Advocate assisted by Mr. S. Saikia, Advocate for the State of Assam, Mr P.K.Goswami, and Mr. DK Mishra, Senior Advocates assisted by Mr. J Roy, Advocate for the writ petitioners (corresponding respondents in the appeals) as well as Mr. AK Goswami, Senior Advocate, Mr. UK Nair and Mr. U Raj Saikia, Advocates for the other appellants.

3. The contextual facts constituting the edifice of the lis are substantially common in all material particulars, and the questions of law raised being the same, these appeals were analogously heard and are being disposed of by this judgment and order.

4. The pleaded case of the writ petitioners in essence, is that, they are all presently holding the rank of Executive Engineer in the Department and have an over all service tenure ranging between 22 to 25 years. They had all being promoted to this rank in the year 2002 and are eligible to be considered for elevation to the next higher rank of Superintending Engineer in terms of the Assam Engineering(PWD) Service Rules,1978 (hereinafter referred to as the 'Rules') framed under Article 309 of the Constitution of India. They have averred that, by the Notification No.CON.5/2003/50 dated 28.04.2003 issued by the Commissioner and Special Secretary to the Govt.of Assam, PWD, certain guidelines have been prescribed for administering the promotions upto the rank of Superintending Engineer and above. Though the recital in the notification claims that it had been issued pursuant to the judgment and order dated 07.04.2003 passed in WP(C) No 6274/2002 and WP(C) No. 6606/2002, the writ petitioner in WP(C)No.246/2007 contends that the same is wholly incompatible with the letter and spirit of the said verdict. Be that as it may, they are one in insisting that their cases were not considered for promotion to the rank of Superintending Engineer in terms of the Rules. According to them, the relevant Annual Confidential Reports (hereinafter referred to for short as 'ACR') amongst other records and documents pertaining to their service necessary to be assessed by the Selection Committee under the Rules for the selection involved were for the years 2000-2001 to 2004-2005. They have asserted that they had all been graded Outstanding in their ACRs for the periods 2000-2001, 2001-2002 and 2002-2003 in accordance with the provisions of the Assam Services (Confidential Roll) Rules, 1990 (hereinafter referred to as the 'ACR Rules') which ordain the procedure for writing the confidential report, review and acceptance thereof as well as consequent grading of the officer concerned. They have persistently maintained that this grading was in correct appreciation of their consistent, meritorious performance in the strategic assignments of the department with exemplary zeal and dexterity. However, for extraneous and non germane considerations they were down graded for the subsequent

years i.e. 2003-2004 and 2004-2005 to deliberately deny them the promotion to th e higher rank of Superintending Engineer with a view to favour those less deserv ing, but propitious to the authorities in power. They have contended that even on the application of the guidelines in the notification dated 28.04.2003 and t he marking scheme contemplated therein, they, on a consideration of their perfo rmance and seniority in service were entitled to make the grade in terms thereof for promotion as Superintending Engineer. However, on a manipulation of their A CRs for the years 2004 and 2005, they were deliberately down graded to miss the desired level for denying them the promotion. Referring to the notification date d 28.4.2003 the petitioners have contended that the same in the grade of Graduat e Engineer contemplated two categories of officers, (1) Class-A with a score of 21.96 and above computable on the basis of the marks awarded for the specified gradings in the ACR and (2) Class-B with the score 13.96 to below 21.96 on th e same determinants. According to them, they were purposely denied Class-A by l owering their gradings for the year 2004 and 2005 to Good by consciously overl ooking their performance on impertinent considerations. They have in particular, imputed arbitrariness and mala fide against the then Secretary of the Departm ent for having, by disregarding the records, interfered with the reports of the Reporting and Reviewing Officers, who they claimed had graded them Outstanding also for these years. They have asserted that the Secretary of the Department though the Accepting Authority had no personal knowledge or idea of their funct ional excellence and further, being the Chairman of the Selection Committee had no power to modify their ACRs to their detriment. Besides alleging want of fairn ess in State action for not being afforded an opportunity to represent against the proposed down grading of their ACRs, the petitioners have impeached the s election process as violative of both the Rules and have prayed for an appropri ate writ to interfere with the impugned decision of the Secretary of the Departm ent impoverishing their ACRs , annul the recommendations of the Selection Board and the impugned selection as well and to further direct the respondents to hold a fresh selection for promotion to the rank of Superintending Engineer by p lacing their cases before the Selection Board/Committee for consideration theref or after taking into account the gradings awarded by the Reporting and the Rev iewing officers.

5. The petitioner in WP(C) No.246/2007 in addition, challenged the validity of the notification dated 28.04.2003 being in contravention of the le tter and spirit of the judgment and order dated 07.04.2003 of this Court passe d in WP(C) Nos. 6274/2002 & 6606/2002 thereby denuding the Selection Board/C ommittee of its power and the meaningful assessment of the officers under the Rules for the promotions contemplated thereunder. He further maintained that h is ACRs for the period 01.01.2004 to 31.03.2004 and 01.04.2004 to 10.08.2004 had neither been prepared nor, necessary steps were taken in connection therewith f or which his performance for the said period remained unappraised.

5A. The State respondents in their affidavit through the Commissione r & Special Secretary of the Department while denying the charge of down grading of the petitioner’s ACRs for the years 2004 and 2005 on extraneous consideratio n to favour a chosen few, have categorically averred that the Accepting Authori ty in the exercise of his power under Rule 7(1) of the ACR Rules duly recorded his remarks in their concerned ACRs. While denying the imputation that the petit ioners have been deliberately denied promotion to the rank of Superintending Eng ineer, the answering respondents have contended that the gradings of the Aceptin g Authority in concerned ACRs of the writ petitioners being not adverse, were no t considered necessary to be communicated to them.
Responding to the allegation that the respondent Sri Ajoy Ch. Pathak had been pr eferred for promotion though ineligible and unsuitable, a departmental proceedin g being pending against him, it has been clarified that the recommendation of th e Selection Board vis-a-vis the said officer has been kept in the sealed cover t o be considered only after the culmination of the proceeding. The State responde nts have disclosed that in terms of Rule 13(5) of the Rules, the Selection Boar

d has recommended 39 officers in the rank of Executive Engineer for promotion f or filling up 20 probable vacancies of 2006 and that the names of one such offi cer is in the sealed cover. They have maintained that the appointing authority as required under Rule 13(2) of the Rules had furnished the names and particula rs of the required number of officers in order of seniority as many as four time s the number of vacancies to the Selection Board for its consideration. Accordin g to them, the names of the petitioners were included amongst the 80 officers wh ose candidatures were placed before the Selection Board in its meeting held on 2 8.7.2006. While denying the writ petitioners' allegation that they were not con sidered for promotion, the answering respondents have contended that as they on the evaluation of the Selection Board could not secure the marks for their inclu sion in category A, they were not recommended for promotion.

6. While denying the writ petitioners' claim of having earned Out standing grading for the periods 1996 to 2005 as clearly untenable, it has b een stated further that the Secretary of the Department having served in the fie ld in various capacities he was equipped with necessary knowledge and experien ce in connection with the projects associated with the experts engineers of th e Department and thus , as the Accepting Authority was fully competent to appra ise their performance and accordingly judged their ACRs. The respondents in cat egorical terms insisted that the modifications in the writ petitioners ACRs had been effected by the Accepting Aauthority in conformity with the mandates of Rul e 7(1) of the ACR Rules and that all assertions to the contrary are untenable. T hey dismissed the challenge to the validity of the selection process as frivolou s, the same according to them, having been conducted strictly in accordance with the prescription of the Rules.

7. The learned Single Judge on a scrutiny of the ACRs of the writ petitioners in WP(C) Nos. 4932, 4933,4934 and 4935/2006 concluded that though f or the years 2004 and 2005 they had been awarded Outstanding by the Reporting and Reviewing authorities, the Accepting authority initially classified them as Very Good and thereafter erased the word Very to retain the word Good s the finally accepted grading as Good . The learned Judge thus held the vi ew that the Departmental Promotion Committee/Selection Committee having consider ed the ACRs of the petitioners as above, they were placed in category-B and thei r inter se seniority, notwithstanding, they could not secure the promotional ber th in the rank of Superintending Engineer.
So far as the petitioner in WP(C) No.246/2007 is concerned, the learned Single Judge recorded that he had been graded as Outstanding in his ACR for the year ending 2004 by the Reporting and Reviewing authorities which was scaled down to Good by the Accepting Authority. The learned Single Judge noticed that though the Reporting and Reviewing authorities had assessed the petitioner as Outs tanding on 31.12.2003, the Accepting authority's endorsement as Good was mad e on 30.8.2004, the time lag being disproportionately and inexplicably enormous in the perspective of the period of one month prescribed by the ACR Rules for the Accepting authority to complete such assessment. The learned Single Judge w hile dilating on the approach of the authorities concerned in the matter of pr eparation and finalization of Annual Confidential Reports of the subordinate o fficials observed that the exercise ought to be essentially informed with a hig h degree of responsibility and administrative fairness requiring recording of reasons for valid down grading of ACRs of an officer. While referring to a c atena of decisions of the Apex Court enunciating such proposition and acknowl edging the power of the Accepting authority to award a grading lower than that recorded by the Reporting and the Reviewing authorities , the learned Single Jud ge held that in absence of any reason therefor in the facts and circumstances of the case vis-a-vis the writ petitioners, the down grading of their ACRs for t he years in question was unsustainable in law and adjudged the same to be so. N oticing, however, that in the meantime the Accepting Authority in respect of the ACRs of the respective years had retired, the learned Single Judge propounded t hat in terms of Rule 8(2)(iii) of the ACRs Rules, the remarks of the Reviewing O

fficer would have to be treated as final. It was thus concluded on the basis of the of the writ petitioners' gradings in the ACRs for the years ending 2004 and 2005 as recorded by the Reviewing Authority that they were entitled to be included in category-A as visualized in Office Memorandum dated 28.4.2003. The following operative directions were thus issued:

1) to reassess the cases of the writ petitioners in the light of the directions contained in the order ;
2) to grant promotion to them , if they are eligible therefor in the post of Superintending Engineer from such dates on which promotions had been made pursuant to the recommendations of the Selection Committee dated 28.02.2006, if necessary, by displacing the private respondents ;
3) to initiate the required process as ordered and complete the same within a period 90 (ninety) days from the date of receipt of the copy of the order.

8. Being aggrieved as alluded hereinabove, the State of Assam in the Public Works Department as well as the affected private respondents are in appeal.

9. Mr. Mazumdar has assiduously urged that as under the ACR Rules, the Reporting , Reviewing as well as the Accepting authorities are required to have seen the actual performance of the officers concerned, detailed reasons need not be recorded by the Accepting authority in the event of his disagreement with the gradings awarded by the other two authorities and therefore, the plea based on want of reasons in the moderation of the writ petitioners' ACRs for the years 2004 and 2005 is clearly misconceived. Referring profusely to the ACR Rules, the learned senior counsel argued that thereunder the Reporting authority is not required to record the over all grading of the officers and, therefore, such grading even if accorded, is of no significance. Contending that the notification dated 28.04.2003, is construable to have been issued under Article 162 of the Constitution of India, the same read with Rule 12 of the Rules, provided a salutary scheme for promotions in the department and in absence of any challenge thereto or the selection process, the assailment of the select list is fallacious. As under the ACR Rules, the Reporting, Reviewing and the Accepting authorities have to observe the performance of the officers concerned for a period of 90 days, their assessments are essentially independent of each other and therefore, no reason need be recorded by the Accepting authority in case of a deviation in his grading(s) from those accorded by the other authorities. Mr. Mazumdar urged with reference to the form of the ACR as elaborated in Schedule-II to the ACR Rules that the Reporting Officer in the writ petitioners' ACRs for the year ending 2004 and 2005 had no rational basis to grade them as Outstanding and therefore, their categorization as Good by the Accepting authority on an independent assessment of their service profiles cannot be per se denounced as illegal, arbitrary and unfair only, for the absence of elaborate reasons in support thereof. The reasoning of the Accepting authority vis-a-vis the petitioners' aforementioned ACRs being otherwise endorsable from the records, the same cannot be faulted with. The grading awarded by the Accepting authority to the petitioners for these two years not being adverse as conceptualized in service jurisprudence, neither any reason in support thereof is necessary nor, the same need be communicated to the officer concerned, he urged. According to the learned Senior counsel, the impugned judgment and order being unsustainable in law, is thus liable to be interfered with. Mr. Mazumdar sought to buttress his arguments by relying on the following decisions of the Apex Court.

(1) AIR 1974 SC 87, State of Uttar Pradesh and another, Appellants v. K.N.Misra and others, Respondents.

(2) 1992 Supp(2) SCC 481, National Institute of Mental Health and Neuro Sciences, Appellants v. Dr K. Kalyana Raman and Others, Respondents.

(3) (1996) 2 SCC 363, U.P. Jal Nigam and Others, Appellants v. Prabhat Chandra Jain and Others, Respondents.

(4) (1997) 4 SCC 7, State of U.P., Appellant v. Yamuna Shanker Misra and Another, Respondents.

(5) (1997) 4 SCC 14, Swatantar Singh, Appellant v. State of Haryana, Respondent.

(6) (2005) 10 SCC 15, UPSC, Appellant v. K. Rajaiah and Others, Respondents.

(7) (2006) 1 SCC 368, Union of India and Another, Appellants v. Major Bahadur Singh, Respondent.

The State respondents have produced the relevant ACRs for the perusal of the Court.

10. Mr. AK Goswami, Senior Advocate and Mr UK Nair, Advocate for the other appellants adopted the arguments put forward on behalf of the State.

11. Per contra, Mr. PK Goswami, Senior Advocate has argued that having regard to the duty cast on the Reporting, Reviewing and Accepting authorities under the ACR Rules in preparing the Annual Confidential Reports of the subordinate officers and the adverse consequences that would ensure, in case, the exercise undertaken therefor is either erroneous or unfair or informed with extraneous considerations, moderation of any grade accorded either by the Reporting authority or the Reviewing authority by the Accepting authority ought to be indispensably supported by reasons disclosing the justification therefor. The learned Senior counsel underlined that the lowering of the grading of the writ petitioners by the Accepting authority for the year ending 2004 and 2005 from Outstanding to Very Good and thereafter to Good is shorn of any reason whatever and thus is liable to be adjudged as non est in law. Mr. Goswami urged that the manner in which the alteration has been made and the proximity thereof with the date of Selection Committees result manifests lack of transparency and legitimacy in the process involved to the serious prejudice of the petitioners and is thus wholly anthetitical to the edict of the ACR Rules and dictum of administrative fairplay. The avowed purpose of the selection contemplated under the Rules by applying the measure of merit and suitability with a due regard to the seniority being to ferret out the candidates best suitable to serve the Department in the higher echelon of public service, the impugned action being on the face of the records illegal, arbitrary and whimsical has been rightly adjudged as such by the learned Single Judge. While admitting that the Accepting authority under Rule 7 of the ACR Rules is empowered to modify the grading awarded by the Reporting and the Reviewing authorities, considering the nature of the power to be exercised relating thereto, Mr. Goswami urged that the essentiality of recording of reason in support of any such alteration, more particularly, if the assessment is less favourable to the officers concerned is implicit in the said provision so as to ensure administrative fairness, sanctitude and transparency in state action. As all the authorities associated in the preparation of the ACRs and specially the Accepting authority whose evaluation is final, have to be necessarily objective and dispassionate in their out look in appraising the performance of a subordinate officer for his grading, reasons in support of their assessment are sine quinon for the validity thereof in law, he urged. Mr. Goswami contended that though the power vested in the authorities under the ACR Rules signify some degree of discretion inbuilt in it permitting an element of subjectivity in the process, recording of reasons is an essential concomitant of an honest , fair and bonafide assessment free from any aberration in the interest of public service. The learned Senior counsel sought to draw sustenance for his arguments from the following decisions :

(1) AIR 1975 SC 550, Khudiram Das, Petitioner v. The State of West Bengal a nd others, Respondents.

(2) AIR 1979 SC 1622, Gurdail Singh Fijji, Apopellant v. State of Punjab an d others, Respondents.

(3) (1986) 3 SCC 103,Ram Chander, Appellant vs Union of India and Others, Re spondents.

(4) (2007) 6 SCC 81, Bharat Petroleum Corporation Ltd. , Appellant v. Maddul a Ratanavalli and Others, Respondents.

12. Mr. Mishra, while endorsing the arguments of Mr. Goswami sought to rely on the following decisions of the Apex Court in :

(1) (1986) 2 SCC 373, State of Gujarat, Appellant vs. S. Tripathy and Others , Respondents.

(2) 1986(Supp) SCC 617, RS DASS, Appellant vs. Union of India and Others, Re spondents.

(3) 1994(Supp) 3 SCC 424, S.Ramachadra Raju , Appellant vs. State of Orissa, Respondent.

13. Though, in a different context, the Apex Court in BHARAT PETROLE UM CORPORATION LTD. (Supra), while elaborating on the indispensability of fairne ss in executive action, opined that a decision, which is unfair or unreasonable, is unsustainable. An executive action must be informed with reason and objecti ve satisfaction must necessarily be the basis thereof, it held.

14. We have bestowed our thoughtful consideration on the competing a rguments advanced. Before adverting to the moot issue pertaining to the Annual C onfidential Reports it would be apt to notice the legal provisions bearing there on. All the writ petitioners admittedly are eligible to be considered for promot ion to the post of Superintending Engineer in the department. Under the Rules, t he post of Superintending Engineer is encadered in Class-I (Sr. Grade) as envisa ged in Rule 3 thereof. The post of Superintending Engineer, in terms of Rule 12 is to be filled up by promotion except in cases where for 'Good' and sufficient reasons, the Governor may fill up the same or any other post in the Sr. Grade te mporarily by transfer or deputation from outside the services for specialized in vestigation, design and research works, if there is no suitable officer in servi ce available therefor.
Rule 12(2) ordains that subject to suitability as may be decided by the Selectio n Board, composition whereof, depends on the posts involved as well as by the Ap pointing Authority and subject to possessing such qualification and experience a s may be prescribed, a member of the Service would be eligible for promotion to the corresponding higher post in the manner provided therein. The feeder post fo r promotion to the rank of Superintending Engineer is that of the Executive Engi neer. The academic qualification and other conditions of eligibility are as pres cribed by the Rules.

15. Rule 13 lays down that before the end of each year, the Governme nt would make an assessment of the likely number of vacancies to be filled up by promotion in the next year in each cadre. The Appointing Authority would furnis h to the Selection Board documents and informations with regard to as many offic ers in order of seniority as four times the number of vacancies so assessed for its examination for recommending a list of officers found suitable for promotion in order of preference. The documents to be so furnished amongst others include the character rolls and personal files of the officers as enumerated in Rule 13

(2). Sub-rule (4) thereof prescribes that promotion upto the rank of Superintending Engineer would be made on the basis of merit and suitability with due regard to seniority.

16. The Selection Board would recommend to the Appointing Authority a select list of officers about double the probable number of vacancies in order of preference found suitable for promotion and in case it does not consider an officer suitable it would record the reasons in writing and forward the same to the Appointing Authority together with the select list. Promotions thereafter would be made in accordance with the list finally approved by the Appointing Authority. The Rules, therefore, in categorical terms stipulate merit and suitability with due regard to suitability to be the criteria for promotion to the rank of Superintending Engineer in the Department.

17. By Notification No. CON-5/2003/50 dated 28.04.2003, the Commissioner and Secretary to the Government of Assam, Public Works Department, notified the order issued by the Governor of Assam laying down the modalities for evaluation of the merit, suitability and seniority of the contending officers for promotion to the different posts/ranks in the Assam Engineering (Public Works Department) Services governed by the Rules. The notification provides a set of points corresponding to the gradings earned by the officers in their respective ACRs for assessment of their merit and suitability as hereunder.

Below average	0 point
Average	1 point
Good	2 points
Very Good	3 points
Outstanding	4 points

18. It further specifies that the total score against each officer in the zone of consideration is to be calculated on the basis of the above guidelines for ACRs for a period of five years on the first of January of the year of promotion. For advancement from the post of Executive Engineer to that of the Superintending Engineer in particular the classification of the Officers eligible to be suitable for promotion and otherwise has been made as hereunder.

(C) Promotion from EE to SE

There will be 3 categories

Category 1 = 18 and above

Category 2 = 10 to below 18

Category 3 = below 10

Category 3 shall not be eligible to be suitable for promotion.

Category 1 and 2 shall be eligible to be suitable for promotion.

The appointing authority will allocate the following points in case of seniority for addition to the points allocated for merit, leaving aside the unsuitable candidates and prepare the statement adding allocated points both for merit and seniority leaving aside unsuitable candidates.

The notification also stipulates that officers having completed tenure of 30 years of service would be entitled to 6.66 points (maximum permitted) and for each completed year of service 0.22 points.

19. Two categories of officers on the basis of the total points to be earned have been conceived of i.e. Class A and Class B and for promotion from Executive Engineer to Superintending Engineer an officer to be included in Class A has to earn 21.96 points and above. Class B would include officers with the score of 13.96 points to below 21.96 . The notification clarifies that officers in Class A would get preference over therein Class B and the inter se seniority of the officer mentioned in Class A would remain unchanged.

20. The notification, therefore, enjoins a scheme for evaluating the

merit and suitability and weightage on service seniority for the purpose of promotion. It in categorical terms, on the basis of the points earned, segregate the officers suitable for promotion from those who are not and further categorizes them as Class A and Class B with preference to the former while maintaining the inter se seniority of the incumbents. A figurative expression of merit, suitability and seniority is, therefore, codified by the notification intended to form the basis for promotion in observance of the bench mark of merit and suitability with due regard to suitability prescribed by the Rules, the ACRs being the 'Very' foundation of the ultimate evaluation. This numerical formulation of the criteria for promotion as prescribed by the Rules, therefore, underlines an added significance of an accurate preparation of the ACRs of the officers concerned. Though as recorded hereinabove, a challenge to this notification had been registered in WP(C) 246/2007, no argument in the appeals on behalf of the writ petitioners has been projected in pursuit thereof. No further dilation on the issue of validity or otherwise thereof is therefore warranted.

21. The ACR Rules also framed under Article 309 of the Constitution of India apply for the writing and maintenance of the confidential reports of the employees of Government of Assam excepting those borne on the All India Services. The confidential report in terms of the Rules is to be written in the model form as specified in Rule 4. The prescribed form relevant for the purpose and meant amongst others for the officers in the rank of Executive Engineer of the department is as set out in Schedule II of the Rules. The Rules have undergone various amendments meanwhile and though thereby some additions have been made in the text of the original Rules those not being of any material relevance would not be referred to. By the amendment of the Rules effected by notification No. AR/95/Pt. dated 15.12.1998 and published in the issue dated 27.01.1999 of the Assam Gazette Extraordinary, the form in Schedule II A for recording the confidential report for the officers of the Assam Engineering Services and those of the equivalent rank in the concerned wings of the Public Works, Public Health Engineering, Irrigation and Flood Control Departments was introduced. However, as the original ACRs of the officers involved reveal that the old form as in Schedule II of the unamended Rules had been used, it is considered inessential to refer to Schedule IIA as well.

22. Reporting Authority, Reviewing Authority and Accepting Authority under the ACR Rules have been defined as hereunder.

Rule 2(f): Reporting Authority means the authority who was during the period for which the confidential report is written, immediately superior to the employee and such other authority as may be specifically empowered in this behalf by the Government.

Rule 2 (g) Reviewing Authority means the authority who was, during the period for which the confidential report is written immediately superior to the Reporting Authority and such other authority as may be specifically empowered in this behalf by the Government.

Rule 2(a) Accepting Authority means who was, during the period for which the confidential report is written, immediately superior to the Reviewing Authority and such other authority as may be specifically empowered in this behalf by the Government.

23. Rule 5 which enacts the procedure for writing confidential reports requires that the same assessing the performance, character, conduct and qualities of every employee shall be written for each financial year within two months of the close of the said year at the latest. While enumerating the Reporting Authority, Reviewing Authority and Accepting Authority of the various categories of employees in Schedule IV, it is enjoined in sub-rule (6) that where the Reporting Authority has not seen at least for 90 days and the Reviewing Authority has seen the performance of an employee for the said period during the period for which the confidential report is to be written, such report for the said period shall be written by the Reviewing Authority and where both the Reporting Authori

ty and Reviewing Authority have not seen the performance of such employee during that period, the confidential report shall be written by the Accepting Authority.

24. Sub-Rule (7) obligates that where the Reporting Authority, the Reviewing Authority and the Accepting Authority have not seen the performance of the employee for at least 90 days during the period for which the report is to be written, an entry to that effect shall be made in the confidential report for any such period by the Government. Sub-rule (8) prohibits the Reporting Authority, Reviewing Authority or the Accepting Authority to write a confidential report after he retires from service.

25. Rule 5 therefore is outright in prescribing that the authority to be competent to write the confidential report has to be one who has essentially seen the performance of the employee concerned for at least 90 days during the period for which the report is to be written. Neither the Reporting Authority nor the Reviewing Authority nor the Accepting Authority would thus be competent to write the confidential report of such an employee if he has not seen his performance for the aforementioned period.

26. Rule 6 predicates that the confidential report shall be reviewed by the Reviewing Authority within one month of its being written. It is provided therein that where the report is written by the Reviewing Authority or where the Reviewing Authority has not seen and the Accepting Authority has seen the performance of an employee for at least 90 days during the period for which the confidential report is written, it shall be reviewed by the Accepting Authority ordinarily within one month of its being written. Sub-rule (3) of Rule 6 renders the Reviewing Authority or the Accepting Authority, as the case may be competent to review such confidential report unless it has seen the performance of the employee for at least 90 days during the period for which the report has been written. Under sub-rule (4) neither the Reviewing Authority nor the Accepting Authority can review such confidential report after he retires from service. It is thus explicit from Rule 6 as well that the Reviewing Authority or the Accepting Authority as the case may be cannot review a confidential report unless it has seen the performance of the employee for at least 90 days period for which the report has been written.

27. The confidential report under Rule 7 after its review shall be accepted with such modifications as may be considered necessary and counter signed by the Accepting Authority within one month of its review. The second proviso to Rule 7 clarifies that it would not be necessary for the Accepting Authority who has not seen the performance of the employee for at least 90 days during the period for which the confidential report has been written not to accept any such report.

28. Noticeably whereas Rule 5 and 6 irrefutably requires the authority concerned to write a confidential report of an employee to see his performance for at least 90 days during the period for which the report is to be written and reviewed, no such prescript as a qualifying criteria for the Accepting Authority is discernible from Rule 7. In other words though it is not necessary for an Accepting Authority who has not seen the performance of an employee for at least 90 days as required to accept any report otherwise validly written and reviewed by the authorities as identified by the Rules, it can nevertheless do so with such modifications as it may consider necessary. Visibly, therefore, an authority, who in fact has not seen the performance of an employee has also been empowered to accept his confidential report duly written and reviewed with such modifications as it may consider necessary. Logically, therefore, an Accepting Authority who has not seen the performance of the employee concerned would primarily have to act on the inputs contained in the confidential report furnished and acted upon by the Reporting as well as the Reviewing Authority and still would be aut

horized to cause modifications in the report, if it considers it to be essential .

29. The model form of ACRs as furnished in Schedule II to the ACR Rules enumerates the multiple visages of performance, quality, conduct and other relevant personal traits bearing on the duties and responsibilities to be performed/discharged by the officer concerned, to be appreciated by the Reporting Authority following which an overall opinion has to be recorded. The aspects catalogued touch all conceivable segments of an employee's attributes for comprehensively assessing his competence, aptitude, initiative and potential for the duties and responsibilities entrusted. The Reviewing Authority is required to express its general opinion about the officer and mention his grade on the basis of its appraisal of the relevant materials available. The Accepting Authority who need not see the performance of the officer concerned unlike the reporting as well as reviewing authorities may accept the views expressed by the reporting and/or the Reviewing Authority with or without modifications as is considered necessary. Having regard to the various aspects of the service profile of an officer to be scrutinized by the Reporting Authority to be considered and responded to by the Reviewing Authority who should imperatively have to be abreast with the performance of the officer concerned for at least 90 days during the period for which the report is prepared. The evaluations of these authorities unless, per se, absurd or illogical thus deserve some primacy. A modification to that effect if sought to be introduced by the Accepting Authority who may or may not have absurd the performance of the officer concerned thus be logically endorsed by reasons prima facie acceptable in the attendant facts and borne out by the contemporaneous records.

30. The object of writing the confidential report and making entries in the character rolls was held in STATE OF UP Vs. YAMUNA SHANKER MISRA & ANR. (Supra), is for giving an opportunity to a public servant to improve in excellence. Their Lordships underscored the duty of the officer entrusted with the task of writing the confidential reports to be essentially attended with public responsibility and trust so as to objectively, fairly, dispassionately and accurately record the over all performance of the subordinate officer being mindful of the accompanying facts and circumstances. The Apex Court recalled his observation in the STATE BANK OF INDIA VS. KASHINATH KHER (1996) 8 SCC 762, to the effect that the officer writing the confidential report should show objectivity, impartiality and fair assessment without any prejudice whatsoever with the highest sense of responsibility to inculcate devotion to duty, honesty and integrity to improve the excellence of the individual officer. It was ruled that the procedure should be fair and reasonable as the reports thus written would form the basis for consideration for promotion.

The same view found reiteration in essence in swatantar singh (Supra).

31. The cardinality of objectivity of assessment by the reporting officer, was reiterated by the Apex Court in S. RamACHAndra Raju Vs. State of Orissa (Supra). It was enounced that writing of confidential report bears an onerous responsibility on the reporting officer to eschew his subjectivity and personal prejudices proclivity or predilections and to make an objective assessment, as the career prospect of a subordinate officer/employee largely depends on such assessment. The reporting officer, therefore, should adopt a fair, objective, dispassionate and constructive outlook in estimating or assessing the character, integrity and responsibility displayed by the officer/employee during the relevant period.

32. The preponderance of judicial opinion as noticed hereinabove proclaims that the authorities entrusted with the duty of preparing the confidential report would have to adopt a fair, objective and dispassionate outlook, the end purpose thereof being to correctly asses the performance of the officer/employ

ee concerned so as to provide him with legitimate prospects of further advancement in career, if so deserving, on one hand and on the other to ascertain his deficiencies, failings and shortcomings so as to enable him to improve himself both for his improvement as well as administrative efficiency. Not only the authorities should necessarily eschew personal prejudices but most necessarily assume a just, reasonable and honest perspective to asses the performance of the officer/employee concerned and desist from taking a mechanical view of the exercise. A vigilant circumspect and prudent approach of the authorities is warranted for a valid discharge of the statutory duty cast on them. True it is that the process would unavoidably involve a subjective element but the discretion being coupled with duty would mandate a fair and objective disposition for actualizing the underlying purpose of such empowerment. The authorities under the ACR Rules hold office of responsibility, trust and confidence vis- -vis the officers/employees concerned and thus are not only obligated to act strictly in terms of the directives thereof, their acts and decisions must also, per se, demonstrate a impartial and diligent application of mind to the materials germane and intrinsic for the role entrusted to them. Fairness in action is the essence of every valid administrative decision to be constitutionally sustainable. In discharge of the solemn act of preparation of a confidential report, the subjective satisfaction involved has to essential align with the objective determination founded on relevant materials.

33. The Apex Court in Union of India Vs. M.L. Capoor & Ors. (Supra), while dealing with Clause (5), Rule 5 of the Indian Police Service (Appointment by Promotion) Regulations, 1955, which stipulated recording of reasons by the Select Committee in the event of its proposal to supercede any member of the State Civil Service in the process of selection, review or revision declared in paragraph 28 as hereunder: -

> In the context of the effect upon the rights of aggrieved persons, as members of a public service who are entitled to just and reasonable treatment, by reason of protections conferred upon them by Articles 14 and 16 of the Constitution, which are available to them throughout their service, it was incumbent on the Selection Committee to have stated reasons in a manner which would disclose how the record of each officer superseded stood is relation to records of others who were to be preferred, particularly as this is practically the only remaining visible safeguard against possible injustice and arbitrariness in making selections. If that had been done, facts on service records of officers considered by the Selection Committee would have been correlated to the conclusions reached. Reasons are the links between the material on which certain conclusions are based and the actual conclusions. They disclose how the mind is applied to the subject matter for a decision whether it is purely administrative or quasi-judicial. They should reveal a rational nexus between the facts considered and the conclusions reached. Only in this way can opinions or decisions recorded be shown to be manifestly just and reasonable. We think that it is not enough to say that preference should be given because a certain kind of process was gone through by the Selection Committee. This is all that the supposed statement of reasons amounts to. We, therefore, think that the mandatory provisions of Regulation 5 (5) were not complied with. We think that reliance was rightly placed by respondents on two decisions of this Court relating to the effect of non-compliance with such mandatory provisions. These were: Associated Electrical Industries (India) Pvt. Ltd., Calcutta V. Its Workmen, AIR 1967 SC 284 and Collector of Monghyr V. Keshav Prasad Goenka, (1963) 1 SCR 98 = (AIR 1962 SC 1694).

The respondents therein, though, empanelled in the select list for encadrement in the Indian Police Service till the year 1968, were thereafter excluded therefrom. The records of selection revealed the stock reason furnished by the Selection Committee for their exclusion as follows: -

> On an overall assessment, the records of these officers are not such as to satisfy their appointment to the Indian Administrative Service/Indian Police Service at the stage in preference to those selected.

It was contended on behalf of the appellant, Union of India that a person whose name is brought in the select list for a particular year does not acquire any right except to remain on the list until it is reviewed and revised and that as the criteria for being placed in the select list were entirely subjective, no candidate could claim a right to have his merit assessed every year by applying the same uniform, invariable, objective tests. The Apex Court while enunciating that the expression supersession as engrafted in Regulation 5 (5) only signified preference given to juniors over the superseded officer for a place in the select list, emphasised on the essentiality of recording of reasons by the select committee and sustained the plea of the respondents that rubber-stamp reason furnished mechanically for the supersession of each officer did not amount to reasons for the proposed supersession .
The profound proposition extracted hereinabove, was rendered in the above context.

34. The name of the appellant in GURDIAL SINGH FIJJI (Supra), similarly was not included in the select list of Punjab Civil Service officers drawn up for their induction in the Indian Administrative Service under the Indian Administrative Service (Appointment by Promotion) Regulations 1955. The exclusion of the appellant's name was sought to be justified by the respondents on the ground that he had failed to produce the integrity certificate as required and that the select committee was of the opinion that he was not suitable for empanelment as well. Noticing a similar prescription in Regulation 5 (5) of the aforenamed Regulation, requiring the select committee to record its reasons for the proposed supersession of any member of the State Civil Service, the Apex Court reiterated its view in uNION OF iNDIA V. mOHAN LAL CAPOOR (Supra). While taking note of the select committee's observation that the appellant' exclusion was for not being found suitable otherwise, their Lordships observed that though it is not expected that the select committee should render a detailed narration akin to a judgment of a Court substantiating its opinion, it must at least state, as briefly as it may, as to why it come to the conclusion that the officer concerned was found to be unsuitable for inclusion in the select list.

35. The word consider appearing in Rule 22(2) of the Railway Servants (Discipline and Appeal) Rules, 1968, came to be interpreted by the Apex Court in RAM CHANDER (Supra). The appellant having been removed from service preferred an appeal before the Railway Board under the aforementioned Rules. Rule 22(2) thereof, specified the aspects, the appellate authority was required to consider in deciding the appeal. Their Lordships held that the word consider signified an objective consideration by the Railway Board after due application of mind, which implies the giving of reasons for its decision. The said provision of the Rules did not explicitly require the appellate authority to record reasons for its decision in the appeal.

36. The decision in Khudiram das (Supra), has been pressed into service on behalf of the writ petitioners to emphasise the judicially evolved axiom that the exercise of administrative discretion ought to be tempered with the rules of reason and ought not to be arbitrary and fanciful. The observation of Lord Halsbury in Sharpe Vs. Wakefiled, 1891 AC 173 at p. 179, extracted therein with approval deserves to be quoted as hereunder: -

> & & &.. when it is said that something is to be done within the discretion of the authorities & &.. that something is to be done according to the rules of reason and justice, not according to private opinion & & according to law and not humour. It is to be, not arbitrary, vague, fanciful but legal and regular.

37. Having regard to the pronounced judicial view adumbrated in the decisions referred to hereinabove and considering the language employed in Rule 7 of the ACR Rules investing the Accepting Authority with the power to accept th

e confidential report with modifications, if necessary, we are of the unhesitant opinion that in case the Accepting Authority is inclined to differ from the assessment and the gradings recorded by the Reporting Authority and/or the Reviewing Authority, it would be required to record reasons in support thereof indicating an independent, objective and a fair re-appraisal of the relevant materials and facts pertaining to the performance, character, conduct and quality of the officer/employee concerned. This would obviate the scope of any indeterminability, vagueness or speculation in the matter of required independent evaluation of the service accomplishments of the officer concerned by the Accepting Authority and present a transparent, fair and objective estimate determinative of the issue. We are in respectful agreement with the view expressed by the Apex Court in Ram Chander (Supra). Rule 7, in our comprehension, enjoins such a demand and the interpretation that commends to us effectuates the objective thereof.

We, therefore, hold that as a necessary imperative of fairness and transparency in a matter of preparation of confidential report in terms of the ACR Rules, any modification if sought to be introduced by the Accepting Authority in deviation from the assessment made by the Reporting Authority and/or the Reviewing Authority, it would be obligatory on its part to record reasons so much so that in absence thereof the alterations in the gradings would be rendered non est in law.

38. The select list prepared for the year 1978-79 for promotion of the members of the Punjab State Civil Service (Executive) to the Indian Administrative Service prepared under the Indian Administrative Service (Appointment by Promotion) Regulations 1955, was put to challenge in R.S. DAs (Supra), amongst others on the grounds that the select list did not record any reason in superseding the appellants while excluding their names and including junior officers in the select list. His Lordship, Mr. Justice KN Singh repealed the plea principally on the ground that the amended Regulation 5 (5) of the 1955 Regulations omitted the duty of the select committee to record reasons for such supersession. While observing that in absence of a statutory provision, an administrative authority is under no legal obligation to record reasons in support of its decision, his Lordship expressed the view that where power is vested in a higher authority there is a presumption that the same would be exercised in a reasonable manner and if the selection is made on extraneous considerations and in an arbitrary manner the Courts have ample power to strike down the same and that is an adequate safeguard against the arbitrary exercise of power. His Lordship, Mr. Justice Sabyasachi Mukharji (as he was then), while concurring with the ultimate decision rendered by Hon’ble Mr. Justice KN Singh, scripted a reservation on the guarantee against arbitrariness and misuse of power only because the categorization and judgment of the service of the officers, are in the hands of senior officers. While hinting at the considerable erosion in the intrinsic sense of fairness and justice in the senior officers in the recent times, His Lordship enunciated that in order to rule out any grievance actual or fancied, some objective basis for the categorization should be laid down so much so that the non stating of reasons would then not be violative of the canons of justice. His Lordship suggested in favour of some objective basis to be formulated in the form of guidelines for the categorization of the officers instead of mere subjective evaluation so as to generate a feeling that justice had been done and thereby design the administration to be an effective weapon for ushering in social justice.

39. In UNION OF INDIA & ANR. Vs. MAJOR BAHADUR SINGH (Supra), the Apex Court interfered with the determination of a Division Bench of the Delhi High Court that the annual confidential report of the respondent for the year 1989-90, had an element of adverse reflection leading to the denial of his promotion and, therefore, the same ought to have been communicated to him. This not having been done, the offending entry was quashed and the matter was remanded to the appellants for reconsideration of his case for promotion to the post of Lieutenant Colonel. The Apex Court sustained the challenge to the decision of the High Court, inter alia on the ground that in recording the same it had overlooked the

elaborate guidelines and parameters framed for the purpose of assessment in comp liance whereof, the appellant's ACRs for the period 1989-90, had been prepared. Their Lordships discountenanced the starting premise of the High Court that as the parameters for recording of ACR were not specified the reduction of marks fr om seven awarded to the respondent during 1988-89 to six for 1989-90 amounted to his down grading. It was noticed that the respondent for the period 1989-90 wa s holding the post of Major while for the period prior thereto, he was positione d as a Captain. While concluding so, the Apex Court noticed the three sets of p erformance variables provided in the ACR forms for Majors, Lieutenant Colonel an d Colonels. It also held with reference to the paragraph 109 of the relevant In structions that a score of three marks or less was considered to be adverse, whe reupon, the vulnerable and written guidelines for improvement were to be offered . The Apex Court held that the High Court had clearly overlooked the Instructio ns which envisaged three stages before recording of the adverse/advisory remarks in a confidential report and erroneously quashed the entry for the year 1989-19 90.
In the present case no such parameters have been indicated and having regard to the criteria for promotion and the guidelines contained in the notification date d 28.04.2003, providing for a formulistic scheme for adjudging the merit and su itability of the eligible officers, this decision does not further the case of t he appellants.

40. The Apex Court in NATIONAL INSTITUTE OF MENTAL HEALTH AND NEURO SCIENCEs (Supra), while dwelling on the role and duty of the selection committee constituted by the Governing Body of the National Institute of Mental Health an d Neuro Sciences (for short referred to as the NIMHANS), for recommending candid ates to the post of Professor in Neurology at the institute held that there bein g no rule or regulation requiring it to record reasons, any lapse on its part to do so cannot be faulted with, its function being neither judicial nor adjudicat ory but purely administrative. Dilating further, it observed that in absence of a statutory requirement, even the principles of natural justice do not require an administrative authority or a Selection Committee or an examiner to record re asons for the selection or non-selection of a person. It was, however, emphasis ed that the procedure adopted by the select committee has to be essentially fair and its decision has to be reasonable without being guided by any extraneous or irrelevant consideration.

41. In UPSC VS. K. RAJAIAH & ORS. (Supra), the decision of the Andhr a Pradesh High Court, directing the official respondents to constitute a fresh S election Committee for preparing the panel of officers to be promoted to the Ind ian Police Service for the year 1998-99, after making an overall relative assess ment of the relevant ACRs and service record, was put to challenge. The case of the first respondent in short, as sustained by the High Court, was that despite his outstanding service, he had not been selected, whereas officers with inferi or merit, have been favoured. The key consideration of the High Court in favour of the first respondent, was that though, he had earned four Outstanding grad ing during the relevant period, no reasons were disclosed by the Selection Commi ttee for revising his classification. The Apex Court on the attendant facts, he ld that the Annual Confidential Reports placed before the select committee were comprehensive enough to judge the comparative merit and, therefore, the assumpti on that the first respondent's ACR did not reflect the details of his service ac hievements, was not correct and, therefore, the substratum of the High Court's c onclusion was non est. In recognition of the select committees power to classif y the eligible officers as Outstanding , Very Good and Good or Unfit he case may be, on an overall assessment of his service record as demonstrated i n Regulation 5 (4) of the Indian Police Service (Appointment by Promotion), thei r Lordships held that the Selection Committee could therefore, evolve its own cl assification, which may be at variance with the gradation given in the ACRs and that though it is desirable to record reasons for the departure, in view of the nature of its function and power bestowed, it is not a legal requirement that re

asons should be recorded in support of such classification. On a perusal of the records, their Lordships determined that the first respondent could not be selected for the reason that he did not get the gradation of Outstanding for four years in a block of five years that was taken into account for the purpose of evaluating the comparative merit of the candidates and that on the touchstone of the existing guidelines adopted by the Union Public Service Commission, his overall grading cannot be Outstanding , though, he had been graded as such only for the relevant three years.

42. The facts involved in these decisions are distinguishable from those in hand. None of these is an authority on the proposition that no reason whatsoever need be recorded by the Accepting Authority in case of its disagreement in the evaluation and grading recorded by the Reporting as well as the Reviewing Authority in the ACR as a rule of general application. The dictum that no reason is necessary to be assigned if not statutorily enjoined is also of no decisive significance in the teeth of the language of Rule 7 noticed hereinabove and the ratio in Ram Chander, supra. The role of the Selection Committee in the instant case having regard to the codified parameters to guide its exercise is not akin to those in the reported decisions. The views expressed therein vis- -vis the needfulness of recording reasons by a Selection Committee cannot proprio vigore be made applicable in the matter of preparation of ACR, which has to be peremptorily in conformity with the provision of the ACR Rules.

Two excerpts from the celebrated dissertation of Maxwell on Interpretation of Statute would fit in with the context.

In determining either the general object of the legislature, or the meaning of its language in any particular passage, it is obvious that the intention which appears to be most in accord with convenience, reason, justice and legal principles should, in all cases of doubtful significance, be presumed to be the true one. an intention to produce an unreasonable result is not to be imputed to a statute if there is some other construction available. Where to apply words literally would defeat the obvious intention of the legislation and produce a wholly unreasonable result we must do some violence to the words and so achieve that obvious intention and produce a rational construction.

& & & & & & & & & & & & & & & & & & & & & & &..

Whenever the language of the legislature admits of two constructions and, if construed in one way, would lead to obvious injustice, the courts act upon the view that such a result could not have been intended, unless the intention to bring it about has been manifested in plain words. if the court is to avoid a statutory result that flouts common sense and justice it must do so not by disregarding the statute or overriding it, but by interpreting it in accordance with the judicially presumed parliamentary concern for common sense and justice.

In our considered view, a careful survey of the scheme of the ACR Rules, more particularly, Rule 5, 6 & 7 thereof, demonstrates that if the Accepting Authority dissents from the appreciation of the service records and the gradings on the basis thereof awarded by the Reporting as well as the Reviewing Authority, it has to essentially record reasons in endorsement of such disagreement, failing which the modification introduced, would be ineffectual and inoperative in law.

43. We have perused the ACRs of the writ petitioners in WP(C) 4933/06 (Shri Pradyut Kr. Choudhury), WP(C) 4932/06 (Shri Nripendra Nath Deka), WP(C) 4935/06 (Shri Ranjeet Kr. Das) and WP(C) 246/2007 (Shri Raj Chakraborty) for the years 2000 to 2003 and 2004 and 2005. The year wise gradings awarded to these officers for ready reference are set out hereunder in a tabular form.

Shri Pradyut Kr. Choudhury

Period	General remarks by the Reporting Authority	Grading by the Reviewing Authority	Grading by the Accepting Authority
1/9/2000 to 31/3/2001	Outstanding	Outstanding	Outstanding

1/4/2001 to 4/9/2001 Outstanding Outstanding Accepting Authority retired. Grading of the Reviewing Authority final.
5/9/2001 to 31/3/2002 Outstanding Outstanding Outstanding
1/4/2002 to 24/12/2002 'Very' 'Good' Outstanding Accepting Authority retired. Grading of Reviewing Authority final.
Period ending March, 2004 Outstanding Outstanding Accepted as 'Very' 'Good'. The word ''Very'' prefixed to ''Good'' originally is visibly sought to be effaced by whitener.
Period ending March, 2005 Outstanding Outstanding Accepted as 'Very' 'Good' as no outstanding performance seen. The word ''Very'' prefixed to ''Good'' originally is visibly sought to be effaced by whitener.

The shadowed space suggests that the word ''Very'' is sought to be effaced thus reducing the grading to ''Good''.

Shri Nripendra Nath Deka

Period General remarks by the Reporting Authority Grading by the Reviewing Authority Grading by the Accepting Authority
Period ending March, 2001 'Good' Outstanding Accepting Authority retired. Grading of the Reviewing Authority final.
Period ending March, 2002 'Good' Outstanding Outstanding

Period ending March, 2003 Outstanding Reviewing Authority retired Accepting Authority retired. Grading of Reporting Authority final.
March, 2004 Outstanding Outstanding Accepted as 'Very' 'Good'' as no outstanding performance seen during the year. The word 'Very' prefixed to 'Good' originally is visibly sought to be effaced by using whitener.
Period ending March, 2005 Outstanding Outstanding Accepted as 'Very' 'Good'' as no outstanding performance seen. The word 'Very' prefixed to 'Good' originally is visibly sought to be effaced by using whitener.

The shadowed space suggests that the word ''Very'' is sought to be effaced thus reducing the grading to ''Good''.

Shri Ranjeet Kr. Das.

Period General remarks by the Reporting Authority Grading by the Reviewing Authority Grading by the Accepting Authority
Period ending March, 2001 'Very' expert in design etc. Outstanding Accepting Authority retired. Grading of the Reviewing Authority final.
Period ending March, 2002 Outstanding Outstanding Outstanding

Period ending March, 2003 Outstanding Reviewing Authority retired Accepting Authority retired. Grading of Reviewing Authority final.
March, 2004 Outstanding Outstanding Accepted as 'Very' 'Good'' as no outstanding performance seen during the year. The word 'Very' prefixed to 'Good' originally is visibly sought to be effaced by using whitener.
Period ending March, 2005 Outstanding Outstanding No outstanding performance seen during the year. Accepted as 'Very' 'Good''. The word 'Very' prefixed to 'Good' originally is visibly sought to be effaced by using whitener.

The shadowed space suggests that the word ''Very'' is sought to be effaced thus reducing the grading to ''Good''.
Shri Raj Kr. Chakraborty

Period General remarks by the Reporting Authority Grading by the Reviewing Authority Grading by the Accepting Authority
10/5/2000 to 31/3/2001